Appln. No. 09/752,666
Amendment dated December 5, 2005
Reply to Office Action mailed September 7, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1, 2, 7 through 12, 14, 15, 17, 18, and 21 through 32 remain in this application. Claims 3, 4, 5, 6, 13, 16, 19, and 20 have been cancelled. No claims have been withdrawn. Claim 33 has been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraphs 4 through 25 of the Office Action

Claims 1, 2, 7 through 10, 12, 14, 15, 17, 18, 21 through 24, and 29 through 32 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,137,864 ("Yaker").

Claim 1, particularly as amended, requires "receiving, by a client system in response to a request by a user of the client system, data from a network in a distributed system", "obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored", and "storing temporarily on the client system at least a portion of the received data for a period of at least the minimum length of time indicated by the user at the client system".

In the rejection of claim 1 in the Office Action, it is conceded that:

Mantha fails to disclose obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored; and storing the data for a period of at least the minimum length of time indicated by the user at the client system.

However, while it is correct that Mantha fails to give any indication of a minimum period of time to store Web page copies, it is noted that Mantha

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does discuss the deletion of files by the user in an interactive,

contemporaneous process at col. 9, lines 38 through 49:

> A method for deleting a saved Web page copy is shown in the
> flowchart of FIG. 8. The routine begins at step 52 with the user
> bringing up the Category page (e.g., by clicking a number 1-9) from
> the remote control in which the Web page was stored. At step 54, the
> on-screen menu is accessed by clicking the Menu button from the
> remote control. The routine then continues at step 56 with the user
> clicking DELETE. This brings up a "Delete Items" page. At step 58,
> the user clicks on DELETE with respect to the link to be deleted. This
> operation marks the item for deletion. At step 59, the user clicks
> DONE to make the change effective. This deletes the Web page.

As can be appreciated by one of ordinary skill in the art considering this

portion of the Mantha disclosure, the deletion of Web page files is described

solely as being handled by a user in real time, i.e., at the time that the file

is actually being deleted uwith the files being deleted at the time that the

user requests deletion.

It is then contended in the Office Action that:

> Yaker discloses a similar system wherein the user receives voice
> messages and may specify s minimum length of time to retain a
> particular message. After receiving a message, the user may specify
> how long to retain that message, which is then stored until the time
> period has passed (Col 1, Line 66 to Col 2, Line 12; Col 3, Lines 38-
> 42).

However, it appears that the Mantha and Yaker systems are quite different

from, even contradictory to, each other, and that one of ordinary skill in the

art, considering these disclosures, would not arrive at the claimed

invention. More specifically, the Mantha patent describes a "method of

saving a *web page* to a hard drive", the Yaker patent describes "specifiable

delete times *for voice messaging*". Thus, while the Mantha patent is

concerned with the maintenance of web pages on a user's computer system

using web browsing software, the Yaker patent is directed to the handling of

future deletion of a voice message on a voice messaging system. There is

no indication in the text of the rejection as to why one of ordinary skill in

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the art in the area of web browsers (on which the Mantha system is

generally implemented) would be motivated to look to the voice messaging

art (such as the Yaker patent) to improve web browsing software. It is

contended in the Office Action that:

> This would have been an advantageous addition to the system
> disclosed by Mantha since it would have allowed old data to be
> removed from the storage medium when it are no longer needed,
> increasing the available space for new data and discarding data which
> is no longer desired (Yaker, Col 1, Lines 21-33).

This contention does not indicate that is known to look to voice messaging

systems to improve web browsing software systems, and the portion of the

Yaker patent referenced in the rejection fails to mention any applicability to

web browsing systems. The Yaker patent states at col. 1, lines 21 through

33 that:

> One of the limitations of conventional voice messaging systems
> is the finite amount of memory allocated to recording incoming voice
> messages from callers. When messages are saved indefinitely by a
> callee for future processing, the amount of memory available to record
> subsequent incoming messages is even further limited. As a result,
> subsequent callers may be unable to leave new messages if and when
> the allocated memory is completely filled with old messages.
> Likewise, when there are multiple outgoing messages, e.g., with
> specific messages being supplied for particular identified callers, such
> messages may have relevance for only a limited duration, yet take up
> memory until manually deleted or changed.

This portion (as well the rest) of the Yaker patent does not mention any

benefit provided by this improvement to voice messaging systems to web

browsing software. Not surprisingly, the Mantha patent also fails to

indicate that the voice messaging art provides any improvements for web

browsing software, or that memory limitations are a problem for storing web

pages on a user's system. It is submitted that it would not be obvious for

one of ordinary skill in the art, considering the Mantha web browsing

software, to look to the voice messaging system of Yaker for improvements.

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It is also noted that the "problem" caused by limited memory in a voice messaging system is that messages will no longer be recorded by the system (when the storage is full), while a web browser does not generally stop responding to user requests that a web page be saved when the memory is full, especially since the saving of the web page is an interactive operation with the browser and the user can be requested to delete any unneeded files if and when any full storage problem occurs.

Further distinctions between the Mantha web browsing software and the Yaker voice messaging system is that, in the Mantha software, the user accesses a web page and chooses to store the web page, and thus the user controls the number of web pages saved, while in the Yaker system the caller initiates (not the "callee" of the voice messaging system) the saving of the voice message, and thus the caller (or callers) may easily overwhelm the storage of the voice messaging system without the callee having initiated any storage of the voice messages. In other words, while the user has control in the Manta web browser of the web pages stored, the Yaker system would save voice messages without the user (callee) being able to monitor the saved messages between voice messaging system accesses.

Another apparent contradiction between the Mantha web browser software and the Yaker voice messaging system is that Mantha clearly contemplates that web page file deletion as an interactive operation that occurs at the time that the user requests the deletion, while the Yaker user may schedule a future deletion of a voice message.

The Examiner argues in the Response to Arguments that "one cannot show non-obviousness by attacking references individually where the rejections are based on combinations of references." It is respectfully submitted that this argument in the Response to Arguments are not well taken.

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First, contrary to the contentions in the Office Action, the applicant is simply pointing out what the patents discuss individually and why, based on their teachings, the combination proposed in the rejection is not obvious. One must always keep in mind that one of ordinary skill in the art, considering the patents, does not have the benefit of the roadmap to the invention provided by applicant's disclosure, and thus contradictions by the patents making up the allegedly obvious combination can raise significant questions as to the likelihood that one of ordinary skill in the art would have found the allegedly obvious combination of elements selected from the art as "obvious". If the applicant were to be foreclosed from pointing out the significantly different, and seemingly contradictory nature, of the systems discussed in the patents sought to be combined to make the rejection, the applicant could never argue the "unobviousness" nature of the allegedly obvious combination of the patents.

In this case, the significantly different approaches and apparent contradictions between the documents would have presented one of ordinary skill in the art with a number of dilemmas, and therefore it is submitted that one of ordinary skill in the art would not have found it obvious to arrive at the claimed combination of requirement set forth in claim 1.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha and Yaker set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, the claims depending from claim 1 inherit the requirements of claim 1, and therefore are also submitted to be in condition for allowance.

With respect to claims 12 and 14, it is submitted that the earlier discussion regarding the alleged obviousness of the combination of Mantha and Yaker also apply here.

Claim 27 requires that, "after the expiration of the minimum length of time, notifying the user of the client system prior to the deletion of the at least a portion of the received data" and claim 28 requires "deleting the at least a portion of the received data after notifying the user of the client system prior to the deletion, and after the user of the client system has authorized the deletion of the at least a portion of the received data".

Withdrawal of the §103(a) rejection of claims 1, 2, 7 through 10, 12, 14, 15, 17, 18, 21 through 24, and 29 through 32 is therefore respectfully requested.

Paragraphs 26 and 27 of the Office Action

Claim 11 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,137,864 ("Yaker"), and further in view of US Patent 6,038,601 ("Pirolli").

Claim 11 requires "the data is a first Web page containing a hyperlink to a second Web page and the storing step includes storing data of the second Web page".

The rejection of claim 11 in the Office Action states:

Pirolli et al. disclose that pre-fetching of web ages is known in the art as a means for caching a Web before it is requested by the client, in anticipation that it will likely be requested in the future. Pages that are hyperlinked to other pages are often related. The user will often follow the hyperlink to see the related information. In the case of a cached page containing hyperlinks, it would be advantageous to further cache the pages linked to by the main page to be cached. This would allow the user to access the hyperlinks without requiring them to go online and access information that has potentially changed or may no longer be available.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the client also store data of Web pages which are listed as hyperlinks in the main Web page to be cached. Since the hyperlinks likely point to relevant information, this will ensure that the user will have access to the pages as they were at the time the main page was cached. This

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eliminates any problems which may result from the hyperlinked pages going offline or being modified.

However, the Pirolli patent does not appear to suggest that any hyperlinked data in a web page is prefetched, much less that the hyperlinked data should be saved for a minimum period of time set for the Web page linking to the hyperlinked data. Further, the Pirolli patent discusses the deletion of documents from the cache without regard for any minimum set period of time, and thus the Pirolli system could easily delete hyperlinked data before a minimum period of time passes, and even before the linking page is deleted. See, e.g., Pirolli at col. 10, lines 42 et seq.:

> At step 807, documents in the needs list with a need probability below some threshold amount are identified to be deleted from local cache.

It is asserted in the Response to Arguments section of the Office Action that "[c]learly, any documents that are assigned a minimum retention time by the system of Mantha and Yaker would be above any need probability threshold for deletion, and would not be deleted until their retention period had elapsed. However, the Yaker patent discusses deletion at a time certain or after a time period certain, set by the user, while the Pirolli patent doesn't appear to allow for any such certainty and relies upon an evaluation by the system as to when a file should be deleted.

Withdrawal of the §103(a) rejection of claim 11 is therefore respectfully requested.

Paragraphs 28 and 29 of the Office Action

Claim 25 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent US Patent 6,137,864 ("Yaker"), and further in view of US Patent 6,789,019 ("Ferguson").

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Claim 25 requires "deleting from storage the at least a portion of the received data on a first in/first out basis *upon the passage of the minimum length of time* indicated by the user" (emphasis added).

Claim 25 depends from claim 1, which is submitted to distinguish over the art for the reasons set forth above, and therefore claim 25 is submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claim 25 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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